A Ban on Flavored Cigars is Long Overdue
Overview

- Background
- Sales
- Prevalence
- Consumer Perceptions
- Marketing and Promotion
- Nicotine Dependence
- Policy Options
Background
Tobacco Control Act

Public Law 111–31
111th Congress

An Act

To protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees’ Retirement System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DIVISION A—FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

21 USC 301 note. (a) SHORT TITLE.—This division may be cited as the “Family Smoking Prevention and Tobacco Control Act”.

...

...
Tobacco Control Act
Deeming Rule

FDA RULES FOR CIGAR SALES

Are you taking the necessary steps to prevent underage tobacco use?

- Check photo ID of everyone under age 27 who attempts to purchase cigars.
- Only sell cigars to customers age 18 and older.*
- Do NOT give away free samples of cigars, including any of their components or parts.
- Do NOT sell cigars in a vending machine unless in an adult-only facility.**

* If you sell cigars on the internet, you must also verify the age of customers at the time of purchase.

** Cigars cannot be sold in vending machines in California and several other states.

PROVIDED BY THE CENTER FOR TOBACCO PRODUCTS
Deeming Rule

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Food and Drug Administration
21 CFR Parts 1100, 1140, and 1143
[Docket No. FDA–2014–N–0189]
RIN 0910–AG38

Deeming Tobacco Products To Be Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act; Restrictions on the Sale and Distribution of Tobacco Products and Required Warning Statements for Tobacco Products

*(Response) FDA is not banning flavored tobacco products with this final deeming rule. To address concerns with the growing flavored cigar market and its impact on youth and young adult initiation with tobacco products, FDA is announcing here that it intends to issue in the future a proposed product standard that would prohibit characterizing flavors in all cigars, including cigarillos and little cigars.*
FDA Comprehensive Regulatory Plan for Tobacco and Nicotine

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 1100, 1140, and 1143
[Docket No. FDA–2017–N–6565]
RIN 0910–AH60

Regulation of Flavors in Tobacco Products

AGENCY: Food and Drug Administration, HHS.
ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Food and Drug Administration (FDA) is issuing this advance notice of proposed rulemaking (ANPRM) to obtain information related to the role that flavors play in tobacco products. Specifically, this ANPRM is seeking comments, data, research results, or other information about, among other things, how flavors attract youth to initiate tobacco product use and about whether and how certain flavors may help adult cigarette smokers reduce cigarette use and switch to potentially less harmful products. FDA is seeking this information to inform regulatory actions FDA might take with respect to tobacco products with flavors, under the Federal Food, Drug, and Cosmetic Act (FD&C Act), as amended by the Family Smoking Prevention and Tobacco Control Act (Tobacco Control Act). Potential regulatory actions include, but are not limited to, tobacco product standards and restrictions on sale and distribution of tobacco products with flavors.
GREAT TASTES FROM SWISHER SWEETS

$2.00 OFF!
BLACK & MILD
JAZZ, RHYTHM, & BLUES!
Only $11.30
Methods

Excluded:
- Not related to cigars
- Not in English
- Conducted outside of the US or Canada
- Related to genetics or tobacco farming

Topic Areas:
- Product Features
- Health and Safety
- Consumer Perceptions
- Patterns of Use
- Marketing
- Sales
- Policies
Flavored cigars: How are sales?
Sales

• From 1997-2007, little cigar sales increased 240% and flavored cigars made up about 80% of the market share.

• Flavored cigars responsible for 75% of the increase in cigar sales 2008-2011.
Sales


Share of Flavored Cigars in the Cigar Market, Percentage

<table>
<thead>
<tr>
<th>Year</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>43.6</td>
</tr>
<tr>
<td>2009</td>
<td>45.0</td>
</tr>
<tr>
<td>2010</td>
<td>46.2</td>
</tr>
<tr>
<td>2011</td>
<td>48.2</td>
</tr>
<tr>
<td>2012</td>
<td>51.5</td>
</tr>
<tr>
<td>2013</td>
<td>53.3</td>
</tr>
<tr>
<td>2014</td>
<td>53.3</td>
</tr>
<tr>
<td>2015</td>
<td>52.1</td>
</tr>
</tbody>
</table>
Flavored cigars: Who’s smoking them?
Prevalence among youth

MONITORING THE FUTURE, 2017

30-Day Prevalence of Tobacco Products Among Youth, Percentage

- Flavored Little Cigars or Cigarillos: 2.8% (8th Grade), [VALUE]0% (10th Grade), [VALUE]0% (12th Grade)
- Regular Little Cigars or Cigarillos: 4.0% (8th Grade), 5.5% (10th Grade), [VALUE]0% (12th Grade)
- Large Cigars: 1.6% (8th Grade), 1.5% (10th Grade), 2.6% (12th Grade)
- Cigarettes: 1.9% (8th Grade), 1.9% (10th Grade), 5.6% (12th Grade)

Percentage

- 8th Grade
- 10th Grade
- 12th Grade
Prevalence among youth


Prevalence of Flavored Tobacco Product Use Among All Middle and High School Students, Percentage

<table>
<thead>
<tr>
<th>Product</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cigars</td>
<td>3.5</td>
</tr>
<tr>
<td>Cigarettes</td>
<td>3.4</td>
</tr>
<tr>
<td>E-Cigarettes</td>
<td>5.9</td>
</tr>
<tr>
<td>Hookah</td>
<td>3.9</td>
</tr>
<tr>
<td>Smokeless Tobacco</td>
<td>2.6</td>
</tr>
<tr>
<td>Pipe Tobacco</td>
<td>0.5</td>
</tr>
</tbody>
</table>
Prevalence among youth


Prevalence of Flavored Tobacco Product Use Among Current Middle and High School Student Tobacco Product Users, Percentage

- Cigars: 63.5%
- Cigarettes: 53.6%
- E-Cigarettes: 63.3%
- Hookah: 60.6%
- Smokeless Tobacco: 58.8%
- Pipe Tobacco: 42.3%
Prevalence among youth


Among Current Cigar Smokers in Middle and High School, Use of Flavored Cigars by School Type, Percentage

- Middle School: 56.6%
- High School: 64.7%
Prevalence among youth

Among Current Cigar Smokers in Middle and High School, Use of Flavored Cigars by Gender, Percentage

- Male: 65.8%
- Female: 58.9%

Prevalence among youth


Among Current Cigar Smokers in Middle and High School, Use of Flavored Cigars by Race/Ethnicity, Percentage

- White, non-Hispanic: 70.1%
- Black, non-Hispanic: 54.8%
- Hispanic: 55.9%
- Other race, non-Hispanic: 67.2%
## Prevalence among youth


<table>
<thead>
<tr>
<th>Product</th>
<th>Proportion of Youth Ever Users Reporting First Product Used was Flavored</th>
<th>Proportion of Flavored Use Among Past 30-Day Youth Tobacco Users</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any Cigars</td>
<td>65.4%</td>
<td>71.7%</td>
</tr>
<tr>
<td>Cigarettes</td>
<td>50.1%</td>
<td>59.5%</td>
</tr>
<tr>
<td>E-Cigarettes</td>
<td>81.0%</td>
<td>85.3%</td>
</tr>
<tr>
<td>Hookahs</td>
<td>88.7%</td>
<td>89.0%</td>
</tr>
<tr>
<td>Smokeless Tobacco (excluding snus)</td>
<td>68.9%</td>
<td>81.0%</td>
</tr>
<tr>
<td>Snus Pouches</td>
<td>81.2%</td>
<td>80.4%</td>
</tr>
</tbody>
</table>
Prevalence among young adults


30-Day Prevalence of Flavored Cigar Use Among Current Young Adult Cigar Users, Percentage

- Did not use flavored cigars: 53.2%
- Used flavored cigars: 46.8%
Prevalence among young adults


30-Day Prevalence of Flavored Cigar Use Among Current Young Adult Cigar Users by Age Group, Percentage

- 18-24 years: 56.7%
- 25-34 years: 40.3%
Prevalence among young adults


30-Day Prevalence of Flavored Cigar Use Among Current Young Adult Cigar Users by Gender, Percentage

- Male: 40.5%
- Female: 60.9%
Prevalence among young adults


30-Day Prevalence of Flavored Cigar Use Among Current Young Adult Cigar Users by Race/Ethnicity, Percentage

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>White, non-Hispanic</td>
<td>37.8</td>
</tr>
<tr>
<td>Black, non-Hispanic</td>
<td>61.4</td>
</tr>
<tr>
<td>Other, non-Hispanic</td>
<td>46.2</td>
</tr>
<tr>
<td>Hispanic</td>
<td>52.0</td>
</tr>
</tbody>
</table>
Prevalence among young adults


30-Day Prevalence of Flavored Cigar Use Among Current Young Adult Cigar Users by Sexuality, Percentage

- Straight/Heterosexual: 46.8%
- LGB (excludes trans/other): 60.7%
Prevalence among young adults


30-Day Prevalence of Flavored Cigar Use Among Current Young Adult Cigar Users by Education, Percentage

- Less than high school: 63.1%
- High school: 52.2%
- At least some college: 39.3%
Prevalence among adults


30-Day Prevalence of Flavored Cigars among Adults by Age Group, Percentage

- 18-24 years: 9.1%
- 25-44 years: 3.1%
- 45-64 years: 1.4%
- 65+ years: 0.2%
Prevalence among adults


30-Day Prevalence of Flavored Cigars among Current Adult Cigar Smokers by Age Group, Percentage

- 18-24 years: 57.1%
- 25-44 years: 43.2%
- 45-64 years: 28.9%
- 65+ years: 13.4%
Preference for flavored cigar brands

Among Cigar Smokers, Usual Brand Makes Flavored Cigars by Age Group, Percentage

DELNEVO CD, ET AL., PREFERENCE FOR FLAVOURED CIGAR BRANDS AMONG YOUTH, YOUNG ADULTS AND ADULTS IN THE USA. TOBACCO CONTROL. 2015
Preference for flavored cigar brands

DELNEVO CD, ET AL., PREFERENCE FOR FLAVOURED CIGAR BRANDS AMONG YOUTH, YOUNG ADULTS AND ADULTS IN THE USA. TOBACCO CONTROL. 2015

Among Cigar Smokers, Preferred Cigar Brand by Age Group, Percentage

![Bar chart showing preference for flavored cigar brands by age group.]

12-17: Black & Mild - 50.5%
18-25: Black & Mild - 42.1%
26-34: Black & Mild - 34.7%
35+: Black & Mild - 18.0%

Swisher Sweets preferences are as follows:
12-17: 5.9%
18-25: 19.4%
26-34: 13.8%
35+: 15.5%

White Owl preferences are as follows:
12-17: 5.4%
18-25: 3.9%
26-34: 2.5%
35+: 2.5%
Preference for flavored cigar brands

Among Cigar Smokers, Usual Brand Makes Flavored Cigars by Gender,

DELNEVO CD, ET AL., PREFERENCE FOR FLAVOURED CIGAR BRANDS AMONG YOUTH, YOUNG ADULTS AND ADULTS IN THE USA. TOBACCO CONTROL. 2015
Preference for flavored cigar brands

Among Cigar Smokers, Usual Brand Makes Flavored Cigars by Race/Ethnicity, Percentage

DELNEVO CD, ET AL., PREFERENCE FOR FLAVOURED CIGAR BRANDS AMONG YOUTH, YOUNG ADULTS AND ADULTS IN THE USA. TOBACCO CONTROL. 2015
Flavored cigars: Why are they smoking them?
Consumer perceptions reduce throat irritation mask cigar taste easier to inhale/smoke
Consumer perceptions reduce throat irritation. Taste and smell mask cigar taste, making it easier to inhale/smoke.
Consumer perceptions reduce throat irritation.

- safe
taste
smell
reduce throat irritation
milder
mask cigar taste
less harmful
natural
easier to inhale/smoke
## Reasons for cigar use among youth


### Leading Reasons for Cigar Use Among Past 30-Day Cigar Users Aged 12-17 Years

<table>
<thead>
<tr>
<th>Reasons for Use</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>I use cigars because they come in flavors I like.</td>
<td>73.8%</td>
</tr>
<tr>
<td>I use cigars because they are affordable.</td>
<td>58.2%</td>
</tr>
<tr>
<td>I use cigars because I like socializing while using them.</td>
<td>57.0%</td>
</tr>
<tr>
<td>I use cigars because people in the media or other public figures use them.</td>
<td>30.7%</td>
</tr>
<tr>
<td>I use cigars because they might be less harmful to me than cigarettes.</td>
<td>29.9%</td>
</tr>
<tr>
<td>I use cigars because people who are important to me use them.</td>
<td>28.4%</td>
</tr>
<tr>
<td>I use cigars because I can smoke/use them at times when or in places where smoking cigarettes isn’t allowed.</td>
<td>10.9%</td>
</tr>
<tr>
<td>I use cigars because they help people to quit smoking cigarettes.</td>
<td>9.9%</td>
</tr>
</tbody>
</table>
Flavored cigars: How is the industry marketing them?
Marketing and promotion
Marketing and promotion
Marketing and promotion
Marketing and promotion
Flavored cigars: Are they addictive?
Nicotine dependence

intentions to quit smoking

frequency of smoking
Flavored cigars: What are the policy solutions?
Policy options

where we stand: little cigars, cigarillos & cigars

Truth Initiative’s mission is to achieve a culture where all youth and young adults reject tobacco. Consistent with Truth Initiative’s vision of a future where tobacco is a thing of the past, we support the following policies with regard to little cigars, cigarillos, and cigars:

- Given their well-documented appeal to youth, **all flavors, including menthol, should be eliminated** from little cigars, cigarillos and other cigar products.

- The marketing of all cigar products should be restricted so that it **does not target or appeal to youth**.

- Sales of all cigar products should be **limited to those age 21 or older**.

- Internet and other **non-face-to-face sales of cigars should be prohibited**.

- All cigar use **should be subject to smoke-free laws and requirements**.

- We support **taxation proportional to the harms of each type of tobacco product** to discourage use of the most harmful products (e.g. combusted tobacco). As highly harmful combustible tobacco products, little cigars, cigarillos and other cigar tobacco products should be taxed at the highest rate.
Policy options

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Food and Drug Administration
21 CFR Parts 1100, 1140, and 1143
[Docket No. FDA–2014–N–0189]
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Policy options

Alaska
Hawaii
Policy options

Alaska

Hawaii
Policy options

109 cities and local municipalities in MA, including Boston
In Closing...

- Flavoring is the biggest issue when it comes to cigars.

- Flavored cigar use is higher among youth and young adults than adults.

- The use of flavors in cigar products makes them more appealing.

- FDA, states, and localities must ban the sale of flavored cigars.
Thank you

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